

ASSEMBLY BILL

No. 2386

Introduced by Assembly Members Gilmore and Cook

February 19, 2010

An act to add Section 714 to the Business and Professions Code, relating to the Armed Forces.

LEGISLATIVE COUNSEL'S DIGEST

AB 2386, as introduced, Gilmore. Armed Forces: medical personnel.

Existing federal law authorizes a health care professional, as defined, to practice his or her health profession in any state or territory without licensure by that state if he or she has a current license to practice the health profession and is performing authorized duties for the Department of Defense.

Existing state law provides that no board that licenses dentists, physicians and surgeons, podiatrists, or nurses may require a person to obtain a California license to practice his or her profession in this state if the person is employed by, or has a contract with, the federal government and is rendering services in a facility of the government or the person is practicing as part of a program or project conducted by the federal government which, by federal statute, exempts persons in the program from state licensure, as specified.

This bill would authorize a hospital to enter into an agreement with the Armed Forces of the United States to authorize a physician and surgeon or registered nurse to provide medical care in the hospital if the health care professional holds a valid license in good standing in another state or territory, the medical care is provided as part of a training or educational program designed to further the employment of the health care professional, and the agreement complies with federal

law. The bill would exempt those health care professionals from licensure or relicensure by the State of California.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 714 is added to the Business and
- 2 Professions Code, to read:
- 3 714. (a) A hospital may enter into an agreement with the
- 4 Armed Forces of the United States to authorize a physician and
- 5 surgeon or registered nurse to provide medical care in the hospital
- 6 if all of the following apply:
- 7 (1) The physician and surgeon or registered nurse holds a valid
- 8 license in good standing to provide medical care in the District of
- 9 Columbia or any state or territory of the United States.
- 10 (2) The medical care is provided as part of a training or
- 11 educational program designed to further the employment of the
- 12 physician and surgeon or registered nurse.
- 13 (3) The agreement complies with Section 1094 of Title 10 of
- 14 the United States Code and any regulations or guidelines adopted
- 15 pursuant to that section.
- 16 (b) If an agreement is entered into pursuant to subdivision (a),
- 17 no board under this division that licenses physicians and surgeons
- 18 or registered nurses may require a person under subdivision (a) to
- 19 obtain or maintain any license to practice his or her profession or
- 20 render services in the State of California.